



77752

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fogelson, Bruce A.

Serial No.: 09/483,579

Filed: January 14, 2000

For: BUILDERS ON-LINE  
ASSISTANT

Examiner: not yet assigned

Attorney  
Docket No.: 77752

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this date.

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RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

On January 14, 2000, the above-identified patent application was filed in the name of three inventors. The three named inventors were Bruce A. Fogelson, Joel M. Fogelson and Cary Pearlman.

On March 24, 2000 a Notice to File Missing Parts of Nonprovisional Application was issued requesting a signed declaration from the inventors. Upon investigating the circumstances surrounding the invention, it was determined that the list of inventors was in error and that there was, in fact, only one true inventor, Bruce A. Fogelson.

On May 15, 2000 a Response (copy enclosed) to the Notice to File Missing Parts was filed with the U.S. Patent Office. The Response contained the signature of the only true inventor, Bruce A. Fogelson.

On June 19, 2000 a Notice of Incomplete Reply (Nonprovisional) was issued stating that the signatures of Joel M. Fogelson and Cary

Pearlman were missing from the oath or declaration. However, 37 CFR §1.48 (f)(1) clearly states that:

"If the correct inventors are not named on filing a nonprovisional application under §1.53(b) without an executed oath or declaration under §1.63, the later submission of an executed oath or declaration under §1.63 during the pendency of the application will act to correct the earlier identification of inventorship".

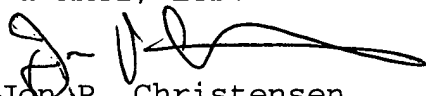
Since the signed declaration of May 15, 2000 was signed by the only true inventor, the Notice of Incomplete Reply is believed to be in error and should be withdrawn.

The Declaration filed on May 15, 2000 is believed to be in order and withdrawal of the Notice of Incomplete Reply is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

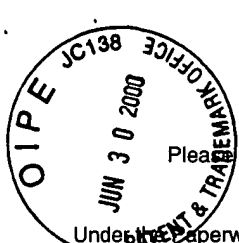
Respectfully submitted,

WELSH & KATZ, LTD.

By

  
Jon P. Christensen  
Registration No. 34,137

June 30, 2000  
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Please type a plus sign (+) inside this box →



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PTO/SB/21 (6-98)

Approved for use through 09/30/2000. OMB 0351-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/483,579	
	Filing Date	April 14, 2000	
	First Named Inventor	Fogelson	
	Group Art Unit	3635	
	Examiner Name	not yet assigned	
Total Number of Pages in This Submission	3	Attorney Docket Number	77752

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notices, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard  <input type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
<div style="border: 1px solid black; height: 30px; width: 100%;"></div>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Jon P. Christensen, Registration No. 34,137		
Signature			
Date			

### CERTIFICATE OF MAILING

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Typed or Printed Name	Connie Jacox		
Signature		Date	<div style="border: 1px solid black; padding: 2px;">6-30-00</div> June 30, 2000

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